

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT ELLIS BLUNT,

Defendant.

NO. CR-10-134-EFS

**ORDER ENTERING RULINGS FROM
NOVEMBER 17, 2011 HEARING**

A hearing occurred in this matter on November 17, 2011. Aine Ahmed appeared on behalf of the United States Attorney's Office (USAO). Defendant Robert Ellis Blunt was present and was represented by Frank Cikutovich. Before the Court were Defendant's Motion to Modify Order Setting Conditions of Release, ECF No. [213](#), and the USAO's Motion for Detention, ECF No. [217](#). At the hearing, after reviewing applicable authority and hearing the arguments of the parties, the Court denied the USAO's motion and granted in part and denied in part Defendant's motion. This Order serves to memorialize the Court's oral rulings.

I. Defendant's Motion to Modify Order Setting Conditions of Release

Defendant asks the Court to modify Magistrate Judge Imbrogno's September 12, 2011 Order Granting in Part Motion to Modify Order Setting Conditions of Release, ECF No. [172](#), which removed Defendant from Global Positioning System (GPS) monitoring and set a curfew from 7:00 p.m. to

1 6:00 a.m. For the reasons stated on the record, the Court grants
2 Defendant's motion to modify his curfew, but reimposes Defendant's GPS
3 monitoring condition. Defendant is hereby placed on a curfew of **9:00**
4 **p.m. to 6:00 a.m.** to permit employment and for other lawful purposes as
5 permitted by United States Probation.

6 **II. The USAO's Motion for Detention**

7 The USAO moves the Court to detain Defendant pending his sentencing
8 on the grounds that his seven prior convictions and two prior supervised
9 release violations demonstrate that he poses a danger to the safety of
10 others or the community. For the reasons stated on the record, the Court
11 finds by clear and convincing evidence that Defendant is not likely to
12 flee and does not pose a danger to the safety of any other person or the
13 community. Accordingly, under 18 U.S.C. § 3143(a)(1), the Court denies
14 the USAO's motion for detention.

15 For these reasons, as well as those stated on the record, **IT IS**
16 **HEREBY ORDERED:**

17 1. Defendant's Motion to Modify Order Setting Conditions of
18 Release, ECF No. [213](#), is **GRANTED in part** (curfew is set for 9:00 p.m. to
19 **6:00 a.m.**) and **DENIED in part** (GPS monitoring condition is re-imposed).

20 2. The USAO's Motion for Detention, ECF No. [217](#), is **DENIED**.

21 **IT IS SO ORDERED.** The District Court Executive is directed to enter
22 this Order and to provide copies to counsel and U.S. Probation.

23 **DATED** this 17th day of November 2011.

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s/Edward F. Shea

26 EDWARD F. SHEA
United States District Judge

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